

Executive Order 13921

on

Promoting American Seafood Competitiveness and Economic Growth

The President's Executive Order to promote domestic seafood, and therefore the commercial fishing industry, specifically listed the goals of:

- Strengthening the American economy
- Ensuring food security
- Providing environmentally safe and sustainable seafood
- Supporting American workers

In order to develop programs and initiatives to further these goals, the President's Order called for the creation of a Seafood Trade Task Force. This Seafood Task Force was well thought out in its diversity. It will include members from various government agencies such as:

- Secretary of Commerce
- United States Trade Representative
- Secretary of State
- Secretary of Agriculture
- Secretary of Homeland Security
- Director of the Office of Management and Budget
- Assistant to the President for Economic Policy
- Assistant to the President for Domestic Policy
- Under Secretary of Commerce for International Trade
- Commissioner of Food and Drugs
- Administrator of NOAA

The mission of the Seafood Trade Task Force will be broadened. Membership which includes so many different government agencies will allow this Task Force to address issues and implement initiatives that cross multiple agencies within our federal government. Such diversity, makes the Seafood Trade Task Force an excellent vehicle for evaluating and fleshing out many of the initiatives listed later in this public comment, and I hope their mission will evolve to allow them opportunity to explore a wider range of undertakings.

The strength of our U.S. fisheries lies in management which is based on science. With that said, many of our fisheries are currently harvesting the maximum sustainable amount allowed by the science. If we cannot provide more fish for commercial fishermen to catch, the best course of action to promote

commercial fishing lies in creating greater demand for our domestic product - thereby increasing American jobs, both primary and secondary jobs, strengthening the American economy via the increased revenues, and adding to our Gross Domestic Product (GDP). Covid-19 also laid bare the need for a more diversified seafood supply chain and an expansion of target markets. A more resilient seafood industry will create lasting gains for commercial fishing in this country and ensure our national food security. Below is a list of initiatives to consider pursuing in the implementation of this Executive Order:

- 1- Increased Testing of Imported Seafood to ensure these imports meet our FDA standards and do not contain banned chemical substances. In 2015, the U.S. Food and Drug Administration tested only 0.1% of seafood entry lines for the presence of veterinary drug residues. These banned chemical substances are used by foreign seafood producers to increase yield and produce the product more cheaply. In the European Union, much higher levels of testing are required for imported seafood. As the European Union has increased testing in an effort to protect its citizens, much of that tainted seafood product has made its way to US markets which lack the more stringent testing. Increasing the testing of imported seafood would not only protect our seafood consumers, but also ensure that our domestic fishermen are competing on a fair playing field by rejecting contaminated foreign product.
- 2- Country of Origin Labeling on Restaurant Menus Nationwide - The closures due to COVID-19 revealed that a significant amount of our domestic seafood is consumed in restaurants rather than purchased at grocery stores to be prepared at home. Although labeling the country of origin for seafood imports is required in grocery stores, it is not generally required in restaurants. As consumers have become more conscientious about the source of their food, demand has increased for domestic wild caught seafood. Unfortunately, consumers have no way of knowing the source (i.e., country of origin) of what they are served at a restaurant. It's time to establish a nationwide policy for restaurants to inform consumers on the origin of seafood menu items so American consumers can make informed decisions on their seafood choices, the majority of which occur in restaurants. Given we are in the throes of a pandemic, maybe this effort could begin initially with a tax incentive, i.e. stimulus, for restaurants willing to place country of origin labeling for seafood on their menus. In this way, both the restaurant industry and the domestic commercial seafood industry gain. At the point in time when this temporary stimulus effort is set to expire, an evaluation can be made of the willingness of restaurants to engage in this type of reporting for consumers. If it seems the country of origin labeling was in fact palatable to the restaurant industry, then maybe legislation requiring it across the board would not be burdensome at that future date.
- 3- Virtual Farmer's Market for Seafood – The Seafood Trade Task Force should design and establish the infrastructure for a nationwide online seafood marketplace. Think of it as a virtual farmer's market, for seafood. Covid-19 has brought about a paradigm shift in how our fishermen reach consumers. We need a nationwide online platform these fishermen can utilize to market their product. Think of Etsy, the Etsy platform allows the artisan to reach an exponential number of customers. Etsy boosts the online efforts of that individual artisan to a whole other level, because Etsy is recognized nationwide as a one stop shop for the products home artisans

provide. Since seafood is a public resource, the platform shouldn't belong to a private entity. Expand the role of the Seafood Trade Task Force, established by Executive Order 13921, and make the creation of a nationwide virtual farmers market for seafood part of their mission.

- 4- Put Domestic Seafood on Lunch Menus in Public Schools - Our domestic seafood target market should be diversified to include public school lunch menus, in a real and meaningful way, across the country. It is shameful that our children are not receiving ample seafood in school. What children eat is important, and they should eat balanced diets at school – which includes seafood as a protein option. The quality and healthiness of our school lunches lags behind consumers' broader movement towards healthy food choices, which could be addressed by providing a healthy, low-fat protein source. Add to this the fact that domestic wild-caught seafood is naturally fortified with vitamins and minerals that are essential for children's growth and development, both physical and mental. And yet, even the cheapest of seafood options cannot be found on the lunch menu in most of our public schools. In addition to promoting our children and grandchildren's health, it will also promote food security for the future by the creation of a long-term, stable demand source for domestic seafood.
- 5- Development and Support of Young Fishermen Development Programs around the Country - For many years, commercial fishing has been a generational pursuit, with the children of fishermen often following in their parents' footsteps. However, for some time, the average age of participants in U.S. domestic fisheries has been increasing while labor recruitment into domestic fisheries has been waning, termed "the graying of the fleet" in commercial fisheries. This has led to labor issues in supplying domestic seafood to the U.S. marketplace. We need to let our young people know that commercial fishing is a viable profession and add this career path to vocational training programs. In pursuit of this, Young Fishermen Development Programs are being established around the country. I'm proud to say the Gulf of Mexico has recently populated such a group and is already getting to work fleshing out what its program will look like. These Young Fishermen Development Programs will be paramount; they will be the ones putting in the long hours on the ground with our young people and educators to put these plans into action. To achieve long-term viability for the industry, the professionalization of the industry requires support and appropriations. For example, a Bill referred to this Committee last year, the Young Fishermen's Development Act, would provide grants to support new and established local and regional training programs for young fishermen. Such programs would provide vocational training for our young people in the U.S and include fisheries as a desirable career path.
- 6- Rewriting of USCG Alternative Safety Compliance Program – Making them Region Specific - The United States Coast Guard Alternative Safety Compliance Program for Commercial Fishing Vessels began with the best of intentions, however, its one-size-fits-all approach to safety for commercial fishing vessels across the nation has led to protocols which many times do not address the true nature of the safety concerns in a particular region. In the Gulf of Mexico, it is not vessels sinking which cause the bulk of our fatalities. Therefore, a program like the Alternative Safety Compliance Program, which is aimed at ensuring the utmost structural integrity of the vessel to prevent sinking, is not what is needed to save lives in the Gulf region. The main driver of fatalities in the Gulf of Mexico is individual instances of one crew member

falling overboard. Due to the relatively small crew size on Gulf vessels (usually 1-4 crew on board); an individual falling overboard often goes unseen, leading to a considerable amount of time passing before the search begins. If the intent is really to save lives of commercial fishermen, the current Alternative Safety Compliance Program should be repealed and replaced by a program with a regional approach tailored to addressing the drivers of fatality in each region. In the Gulf of Mexico, such a regional program could go a long way to reducing fatalities, i.e. improving safety at sea, by focusing on life jackets that crew will realistically wear while working, swimming skills and emergency shut offs for the winch – rather than costly standards for the physical integrity of vessel. Regional working groups, which allow and encourage substantial participation by commercial fishermen, should be formed with the mission of rewriting the USCG Alternative Safety Compliance Program for Commercial Fishing Vessels in order to address the drivers of fatalities unique to each region in an attempt to earnestly save the lives of those we love.

- 7- Reduce/Mitigate the hypoxic zone (dead zone) in the Gulf of Mexico. This Task Force has the right government agencies as members to actually make some real progress on reducing the hypoxic zone in the Gulf of Mexico. Hypoxia, or oxygen depletion, is an environmental phenomenon where the concentration of dissolved oxygen in the water column decreases to a level that can no longer support living aquatic organisms. The formation of hypoxic zones may be rapid but once formed may persist for months or longer. For marine organisms this may result in movement from the affected area, reduced growth rates, or large-scale mortality events (e.g., fish kills) that impairs sustainable fisheries and reduces primary production and health of marine ecosystems. Hypoxia can occur naturally or result from human activities and hypoxic zones are becoming more common worldwide. The Gulf of Mexico hypoxic zone is the largest human caused dead zone in the United States and the second largest in the world. The maximum extent of this dead zone encompassed 8,500 square miles in 2002 and has averaged 5,300 square miles over the last 30 years. The primary cause is the discharge of nutrient enriched freshwater from the Mississippi River from approximately 41% of the land area of the contiguous United States, ranging as far west as Idaho, north to Canada, and east into New York State. These nutrient enriched waters of the Mississippi River flow directly into the northern Gulf of Mexico.

Nutrient concentrations of nitrogen and phosphorous in the Mississippi River discharge have increased dramatically in recent decades and are caused primarily by the increased use of fertilizer to support agricultural activities. In the northern Gulf of Mexico, this nutrient enrichment leads to phytoplankton blooms and eventually hypoxic zones as the decomposing marine life deplete the available oxygen. This reoccurring dead zone in the Gulf of Mexico negatively affects marine ecosystems and the fisherman that depend upon the living resources in this area for their livelihood and as a source of recreation and food production for the nation. Meaningful action to reduce both point and non-point nutrient inflows into the Gulf of Mexico is necessary to promote conservation and sustained benefits of this region to the nation in terms of economic activities, continuance of traditional fishing engagement, and as an important food source for the nation. Here again, I realize that farmers have felt the detrimental economic impacts from Covid -19 just as fishermen have. Regulations requiring large scale action by

farmers to reduce runoff would exacerbate the current economic strain in the agricultural industry. Therefore, a carrot would be much better served than a stick. Here again is an opportunity to provide a possible (temporary) tax incentive, i.e. stimulus, to farmers who can show investment in capital expenditure projects which have a reasonable expectation of resulting in reduced nutrient rich runoff. This creates a win-win for both farmers and fishermen. I truly believe that if we can ever get the ball rolling in a meaningful way, we will begin to turn the tide on nutrient runoff and create even greater sustainability for both our farmers and our fishermen.

Given the membership of the Seafood Task Force, it is truly a one in a lifetime opportunity to make meaningful progress towards mitigating the dead zone in the Gulf of Mexico. Here again, I hope the mission of the Task Force will be expanded to encompass initiatives such as these that would complement any tax incentives aimed at Farmers by Congress in further stimulus packages.

- 8- Do Not Close any More Areas to Commercial Fishing and Consider Re-Opening Closed Areas - Around the nation, commercial fishermen have lost access to many areas that they have traditionally fished. Reducing the fishing grounds accessible to our fishermen through area closures which occur outside the Regional Fishery Management Process is an impediment that creates an undue burden on domestic seafood production. Yet, whether the intended benefits of these area closures are met often remains unclear years after the closures are established. In my opinion, any closure of federal waters to fishing (or regulations which have the same effect as fishing closures, such as prohibitions on the use of specific fishing gear types in an area or rules regarding transit of these areas) should take place through the rigorous scientific process carried out under the purview of the Regional Fishery Management Councils and the Magnuson-Stevens Fishery Conservation and Management Act, as opposed to the National Marine Sanctuaries Act or the Antiquities Act. This would ensure that due consideration of affected fisheries be given in evaluating if those fisheries can be sustainably harvested and managed in a manner that does not compromise the broader objectives of the spatially protected area.

The Seafood Task Force created by the Executive Order is the perfect group to address each of these initiatives because it's populated with members from a diverse set of governmental agencies, and therefore its mission should be expanded to allow it to evaluate a broader range of endeavors. It's a group that can finally work across agency lines. Initiatives like this will make our country stronger from both an economic and national food security standpoint.

I also have ideas that are more specific to the Gulf of Mexico commercial fishing industry, and I have listed one of them below. I would be happy to provide greater detail on these, and other ideas I have, at a later date.

- Highly Migratory Species (HMS) Stock Assessments Peer Reviewed by Regional Scientific and Statistical Committee of the Regional Fishery Management Councils (SSC's) – I believe our commercial fishermen would benefit from having more substantial input and participation in the management of HMS species. Most stock assessments for our federally managed species are performed by the regional National Marine Fisheries Science Center. Once complete, the

stock assessment is reviewed by the Scientific and Statistical Committee (SSC) of the Gulf of Mexico Fishery Management Council (created via the Magnuson-Stevens Act). Once the SSC determines the assessment is “the best scientific information available”, the assessment and associated harvest quotas are utilized for management of the species by the Regional Fishery Management Council.

The process is slightly different for highly migratory species (HMS). The stock assessments for those species are not peer reviewed by the Scientific and Statistical Committee. I believe the science would benefit by changing the review process for HMS stock assessments to include a review by the Regional Scientific and Statistical Committee. I do not request such a change because I feel the science is inadequate or flawed in some way. Many of the HMS species have required significant reductions to allowable harvest, and as a result, the number of fishermen actively fishing for these species is sometimes just a handful in a given region – this is very much the case for HMS sharks in the Gulf of Mexico. Science does not operate in a bubble. It is for this reason that one or two fishermen are generally asked to participate in the stock assessments. But only one or two fishermen, that is very limited participation.

If the assessments were reviewed by the regional Gulf of Mexico Scientific and Statistical Committee, it would broaden the audience for those reviews – because all of the Gulf SSC meetings are broadcast live over the internet for the general public and are widely listened to by commercial fishermen, recreational fishermen, state fisheries managers and scientists alike. As I have seen first hand, when transparent communication of the science happens on that scale (SSC meetings broadcast live), additional knowledge is transferred from the audience to the scientists which many times helps to fine tune the science going forward. This is vital because the science is the basis for determining how many fish commercial fishermen can harvest. In my opinion, Gulf of Mexico SSC review of HMS stock assessments (for Gulf species) could greatly benefit commercial fishermen.